

Office of
The City Attorney
City of San Diego

MEMORANDUM
MS 59

(619) 236-6220

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COUNCILMEMBER
DONNA FRYE


DATE: February 12, 2010
TO: Councilmember Donna Frye
Councilmember Carl DeMaio
FROM: City Attorney
SUBJECT: Process for Appointments to the Ethics Commission

You have asked whether a panel of retired judges can be used to evaluate nominees to the Ethics Commission and provide advice and recommendations.

Charter section 41 states: "[t]he Mayor shall appoint, subject to the confirmation of the Council, members of all commissions established pursuant to this section." As long as you do not infringe upon the Mayor and Council's delineated powers under section 41, a process could be established to provide advice and recommendations. [See our Memorandum of Law dated September 10, 2009 for parameters].

Our office is prepared to provide assistance after we receive direction from the Council or a Committee on any specific proposed changes to the appointment process.

JAN I. GOLDSMITH, City Attorney

By 
Catherine Bradley
Chief Deputy City Attorney

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